

# Notice of Allowability

## Application No.

10/084,225

## Examiner

Ula C Ruddock

## Applicant(s)

ERB ET AL.

## Art Unit

1771

### -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/24/03.
2. ☒ The allowed claim(s) is/are 15-18 and 20-23.
3. ☒ The drawings filed on 28 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 4/19/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### DETAILED ACTION

1. The Examiner has carefully considered Applicant's amendment and accompanying remarks filed November 24, 2003. All rejections have been overcome.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brendan Mee on April 15, 2004.

The application has been amended as follows:

\*\*Cancel claim 24.

\*\*Amend and rewrite claim 15 as follows:

15. (Currently Amended) A fireblocking aircraft seat cushion covering comprising,  
a fabric cover for position directly adjacent an aircraft seat cushion;  
a fireblocking fabric comprising a mechanically entangled woven scrim and at least one nonwoven layer comprising 10 to about 90 percent by weight staple para-aramid fibers and about 90 to about 10 percent by weight pre-oxidized polyacrylonitrile fibers in a needlepunched nonwoven layer directly adjacent said fabric cover, said nonwoven layer having a mass per unit area of 210 g/m<sup>2</sup> or greater; and  
a dress cover,

wherein said fireblocking fabric does not contain mineral filler.

### **Reasons for Allowance**

3. Claims 15-18 and 20-23 are allowed.
4. The following is an examiner's statements of reasons for allowance: the rejections have all been overcome by the present Examiner's amendment. While Jorder et al. (US 5,534,325), Blaustein et al. (US 4,750,443), Erb, Jr. (US 6,383,623), and Smith, Jr. (US 4,865,906) are believed to be the closest prior art, they fail to teach or fairly suggest a fireblocking aircraft seat cushion comprising a fire blocking fabric having a mechanically entangled woven scrim and at least one nonwoven layer comprising 10 to about 90 percent by weight staple para-aramid fibers and about 90 to about 10 percent by weight pre-oxidized polyacrylonitrile fibers in a needlepunched nonwoven layer directly adjacent said fabric cover, said nonwoven layer having a mass per unit area of 210 g/m<sup>2</sup> or greater, wherein the fireblocking fabric does not contain mineral filler.

Any comments considered necessary by applicant must be submitted not later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ula C Ruddock whose telephone number is 571-272-1481. The examiner can normally be reached on Monday-Thursday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H. Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UCR



  
**Ula C. Ruddock**  
Primary Examiner  
Tech Center 1700